

Notice of Allowability

Application No.

10/715,878

Examiner

Daniel Swerdlow

Applicant(s)

PHILLIPS ET AL.

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 04 December 2006 entered with RCE filed 16 January 2007.
2. ☒ The allowed claim(s) is/are 1-41 and 43-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael L. Drapkin, reg. no. 55,127 on 20 March 2007.

The application has been amended as follows:

In the claims, Claim 1 is amended as follows:

(Markup with respect to the amendment filed on 4 December 2006 and entered with the RCE filed on 16 January 2007.)

1. (Currently Amended) A network interface device located at a customer's premises, comprising:

a first external interface that receives a plurality of telecommunication services via a coaxial connection from a first telecommunication service provider, wherein the services are received using Data Over Cable Service Interface Specifications;

a second external interface that receives an additional telecommunication service from a second telecommunication service provider;

at least two distinct internal interfaces that distribute the plurality of telecommunication services and the additional telecommunication service to at least two distinct internal transport media; and

a processor programmed to:

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receive a first set of configuration instructions from a first control point of the first telecommunication service provider, the first control point remote from the customer premises;

receive combined signals comprising the telecommunication services from the first external interface;

process the combined signals into separate signals representative of distinct telecommunication services;

receive a second set of configuration instructions from a second control point of the second telecommunication service provider, the ~~first~~ second control point remote from the customer premises;

receive an additional signal comprising the additional telecommunication service from the second external interface;

combine the additional signal and at least one of the separate signals to create a first combined signal; and

map the first combined signal and one or more of the remaining separate signals to separate ones of the at least two distinct internal interfaces for distribution at the customer's premises via the internal transport media, thereby providing only those telecommunication services as allowed according to the first and second sets of configuration instructions.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:
3. Regarding Claim 1, WO 01/19005 A1 and US Patent 6,819,682 to Rabenko et al. disclose a cable modem (Fig. 2, reference 2600; Fig. 3, reference 2300; column 4, lines 46-55) that

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corresponds to the network interface device claimed and comprises: an interface to an HFC network (Fig. 2, reference 1010; Fig. 3, reference 2060; column 3, lines 18-20) that corresponds to the external interface claimed and receives internet, television and telephone (i.e., a plurality of telecommunication services) (column 2, line 64-column 3, line 21) using Data Over Cable Service Interface Specifications (column 3, lines 47-52); interfaces to an HPNA network, a computer, a telephone and a television receiver (Fig. 2, reference 2015, 2012, 2014; column 3, lines 32-46) that correspond to the at least two distinct internal interfaces claimed and are connected to twisted pair wires, USB cable, telephone cord and coaxial cable that correspond to the internal transport media claimed; and a DOCSIS CPE controller (Fig. 3, reference 2313; column 6, lines 65-66) that corresponds to the processor claimed and receives combined signals from the HFC network interface that corresponds to the external interface claimed and separates and maps those signals to one of the interfaces to an HPNA network, a computer, a telephone and a television receiver that correspond to the internal interfaces claimed (column 3, lines 21-46), with the signals to the television receiver. US 2002/0129154 A1 to Okawa et al. discloses an audio/video router (Fig. 3, reference 101) that converts video signals to an MPEG digital format for transmission to PC's on a home local area network (0026-0029). US Patent 6,580,710 to Bowen et al. discloses a broadband communication interface (Fig. 3, reference 301; column 3, lines 41-49) that, in addition to a coaxial cable interface 304, has a twisted pair interface 303 that corresponds to the second external interface claimed and combines telephone signals that correspond to the additional telecommunication service claimed with data signals that correspond to one of the separate signals claimed to form an HPNA signal that corresponds to the combined signal claimed and is mapped to a phone line distribution interface that

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corresponds to the internal interface claimed (column 3, lines 50-62). However, the prior art fails to disclose providing services only as allowed by instructions received from different control points according to the service received and remote from the customer service, as claimed. Because the prior art fails to disclose all elements of the claimed invention, Claim 1 is allowable.

4. Claims 2 through 14 and 43 through 45 are allowable due to dependence from Claim 1.

5. Claims 15 and 29 contain limitations similar to those of Claim 1 and are allowable for the same reasons.

6. Claims 16 through 28 are allowable due to dependence from Claim 15.

7. Claims 30 through 41 are allowable due to dependence from Claim 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Swerdlow whose telephone number is 571-272-7531. The examiner can normally be reached on Monday through Friday between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Daniel Swerdlow
Primary Examiner
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ds
20 March 2007